

REMARKS

Applicant appreciates the time taken by the Examiner to review Applicant's present application. Applicant has amended Claim 6 and added Claims 23-41. Applicant submits that no new matter has been added by these amendments. Therefore, Claims 1-41 remain pending in the application. Applicant submits that no new matter has been added by these amendments. This application has been carefully reviewed in light of the Official Action mailed March 26, 2004. Applicant respectfully requests reconsideration and favorable action in this case.

Claim Objections

Claims 6 and 7 are currently objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form. Applicant thanks the Examiner for the allowable subject matter, and has amended Claim 6 accordingly. Applicant submits that no new matter has been added by this amendment. As Claim 7 is dependent on Claim 6, Applicant respectfully submits that Claims 6 and 7 are now allowable. Accordingly, withdrawal of this objection is respectfully requested.

Rejections under 35 U.S.C. § 102

Claims 1-5 and 8-22 stand rejected as anticipated by U.S. Patent No. 6,606,657 ("Zilberstein"). Applicant respectfully traverses this rejection.

In order for a claim to be anticipated, a prior art reference must disclose "each and every element as set forth in the claim." *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631 (Fed. Cir. 1987). "The identical invention must be shown in as complete detail as contained in the claim." *Richardson v. Suzuki Motor Co.*, 868 F.2d 122, 1239 (Fed. Cir. 1989). Moreover, "the elements must be arranged as required by the claim." *In re Bond*, 910 F.2d 831 (Fed. Cir. 1990). Applicants respectfully point out that Zilberstein does not anticipate the present invention as it does not disclose every element of independent Claims 1, 8 and 15.

Claims 1 and 9 recite a method and data processing system program product for providing information related to activity of a user by sending a first view request to a first electronic site that is substantially controlled or owned by a first entity; receiving a first view from the electronic site, wherein the view substantially corresponds to the first view request; and sending information related to the first view request to a second entity that is different from

the first entity. Consequently, Claims 1 and 9 sends a first request, receives a view corresponding to this request and sends information which is related to this first view request to a second entity. This information related to the view request may include the requested site information (URL or the like), temporal information related to the user request, an identifier of the user associated with the request such as an IP address, pre-assigned user identifier, a cookie, form information and the like, or any other type of information related to or contained in the request. Additionally, information for invalid requests may be culled from the information sent to the second entity, reducing the workload of the second entity.

In contrast, Zilberstein discloses a method for gathering and disseminating information regarding web site visitation by subscribed users. Users are required to input bibliographical information such as areas of interest, profession etc. When the user makes a request to access a new URL the new URL, as well as this previously entered user entered information, is transmitted to a central server. (Col. 8, Lines 30-45) Thus, Zilberstein only records the new URL and associated user entered information in the central server, not information related to the first request such as a cookie, form data etc. as recited in Claim 1. Consequently, Zilberstein does not disclose sending first information related to the first view request to a second entity that is different from the first entity as recited in Claim 1 and as asserted by the Examiner. Accordingly Applicant respectfully requests the withdrawal of the rejection of independent Claims 1 and 9 and their respective dependent Claims 2-5 and 8 and 10-14.

Additionally, as Claim 15 contains limitations substantially similar to those in Claims 1 and 9, Applicant respectfully submits that the above arguments presented with respect to Claims 1 and 9 apply equally well to Claim 15. Applicant therefore requests the withdrawal of the rejection of Claim 15 and its respective dependent Claims 16-22 as well.

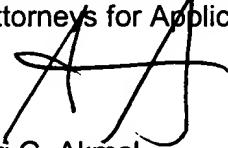
CONCLUSION

Applicant has now made an earnest attempt to place this case in condition for allowance. Other than as explicitly set forth above, this reply does not include an acquiescence to statements, assertions, assumptions, conclusions, or any combination thereof in the Office Action. For the foregoing reasons and for other reasons clearly apparent, Applicant respectfully requests full allowance of Claims 1-41. The Examiner is invited to telephone the undersigned at the number listed below for prompt action in the event any issues remain.

The Director of the U.S. Patent and Trademark Office is hereby authorized to charge any fees or credit any overpayments to Deposit Account No. 50-0456 of Gray Cary Ware & Freidenrich, LLP.

Respectfully submitted,

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